

AO 91 (Rev 8/01) Criminal Complaint

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA

V.

Guadalupe Pena-Leija

CRIMINAL COMPLAINT

Case Number: M-18-2617-M

IAE

YOB: 1959

Mexico

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my

knowledge and belief. On or about December 19, 2018 in Hidalgo County, inthe Southern District of Texas

(Track Statutory Language of Offense)

being then and there an alien who had previously been deported from the United States to Mexico in pursuance of law, and thereafter was found near Hidalgo, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony)

I further state that I am a(n) Senior Patrol Agent and that this complaint is based on the following facts:

Guadalupe Pena-Leija was encountered by Border Patrol Agents near Hidalgo, Texas on December 19, 2018. The investigating Agent established that the Defendant was an undocumented alien and requested record checks. The Defendant claims to have illegally entered the United States on December 19, 2018, near Hidalgo, Texas. Record checks revealed the Defendant was formally Deported/Excluded from the United States on October 30, 2018 through Del Rio, Texas. Prior to Deportation/Exclusion the Defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security. On March 15, 2017, the Defendant was convicted of 8 USC 1326 Alien Unlawfully Found in the United States After Deportation, Having Previously Been Convicted of a Felony and was sentenced to twenty-nine (29) months confinement and three (3) years supervised release term.

Continued on the attached sheet and made a part of this complaint:

Approved by Robert Guerra
AUSA

Sworn to before me and subscribed in my presence,

December 21, 2018 - 8:48 AM

Juan F. Alanis, U.S. Magistrate Judge
Name and Title of Judicial Officer

☐ Yes ☒ No

Signature of Complainant

Mickel Gonzalez

Senior Patrol Agent

Signature of Judicial Officer